

**TRANSMITTAL DOCUMENT
FOR THE MARCH 4, 2019
PLANNING BOARD MEETING**

Issued 02-27-20	
ITEM	
Cover page with date	✓
Agenda	✓
Minutes for approval	To follow
Staff Report	✓
Supporting Documents	
Reschedule Public Hearing/Compliance Review, Site Plan SP-2019-07 - Triple Chick Farm (Reschedule from March 5, 2020 to Wednesday, April 1, 2020)	None needed
Completeness Review for Site Plan SP-2020-02 - Bar Harbor Oceanside KOA	✓
Sketch Plan Review for Subdivision/Planned Unit Development (Village) — PUD-2020-01 — Schooner Head Housing	✓
Completeness Review for Site Plan SP-2020-01 – Bar Harbor Savings & Loan	✓
Completeness Review under Site Plan Review for Subdivision SD-2019-02 — Harborcove (formerly Harbor View)	✓
Public Hearing and Recommendation of the Planning Board, to be posted on the warrant for the Town Meeting of the Town of Bar Harbor on June 9, 2020, to adopt or reject a Land Use Ordinance Amendment, dated December 16, 2019 and entitled “Addressing Officer”	<p>The back-up material for these proposed amendments was part of the January 8, 2020 PB packet.</p> <p>Public hearings were held by the council on Feb. 18, 2020. All proposed LUO were voted unanimously to be placed on the June 9, 2020 annual town meeting warrant.</p> <p>No public comments were made at the Feb. 18, Council Meeting on the Addressing</p>
Public Hearing and Recommendation of the Planning Board, to be posted on the warrant for the Town Meeting of the Town of Bar Harbor on June 9, 2020, to adopt or reject a Land Use Ordinance Amendment, dated December 16, 2019	

and entitled “Permitting Authority For Certain Residential Uses...”

Public Hearing and Recommendations of the Planning Board, to be posted on the warrant for the Town Meeting of the Town of Bar Harbor on June 9, 2020, to adopt or reject a Land Use Ordinance Amendment, dated December 16, 2019 and entitled “Employee Living Quarters”

Public Hearing and Recommendations of the Planning Board, to be posted on the warrant for the Town Meeting of the Town of Bar Harbor on June 9, 2020, to adopt or reject a Land Use Ordinance Amendment, dated December 16, 2019 and entitled “Shared Accommodations”

Public Hearing and Recommendations of the Planning Board, to be posted on the warrant for the Town Meeting of the Town of Bar Harbor on June 9, 2020, to adopt or reject a Land Use Ordinance Amendment, dated December 16, 2019 and entitled “Official District Boundary Map Amendment and New Uses in Hulls Cove ”

Officer, Permitting Authority, and Employee Living Quarters proposed amendments.

Ed Damm had a question for Shared Accommodations about the definition of family.

For the Boundary map amendments and new uses in Hulls Cove, Dennis Bracale and Mike Handwerk spoke against it. Planning Board Chair Tom St. Germain clarified some comments that he had made to the council at a previous meeting. Eben Salvatore from Ocean Properties answered Council questions.

Other		
Vacation Rental	To follow	
DBR	No backup material as this is just an informal update	

Agenda
Bar Harbor Planning Board
Wednesday, March 4, 2020 at 4:00 PM
Council Chambers - Municipal Building
93 Cottage Street

I. CALL TO ORDER

II. ADOPTION OF THE AGENDA

III. EXCUSED ABSENCES

IV. PUBLIC COMMENT PERIOD

The Planning Board allows up to 15 minutes of public comment on any subject not on the agenda and not a pending application before the board, with a maximum of three minutes per person.

V. APPROVAL OF MINUTES

- a. February 5, 2020

VI. REGULAR BUSINESS

- a. **Reschedule Public Hearing/Compliance Review, Site Plan SP-2019-07 - Triple Chick Farm (Reschedule from March 5, 2020 to Wednesday, April 1, 2020)**

Project Location: Off of State Highway 102 — Tax Map 235, Lot 002, encompassing 72.19 acres of land in the following zoning districts: Town Hill Residential Corridor, Town Hill Residential and Stream Protection.

Applicant/Owner: Triple Chick Farm, LLC

Application: Construction of a driveway (over 500 feet in length) to provide for land and forestland management practices, as well as to serve a future single-family residence. Site plan review is required because the driveway will cross a stream in the Stream Protection zoning district.

- b. **Completeness Review for Site Plan SP-2020-02 - Bar Harbor Oceanside KOA**

Project Location: 135 County Road — Tax Map 211, Lot 001, and encompassing ±2.63 acres of land in the following zoning districts: Town Hill Corridor, Town Hill Residential and Shoreland Limited Residential

Applicant: Bar Harbor Oceanside KOA

Owner: Kampgrounds of America, Inc.

Application: To construct a manager's house and laundry/maintenance facility; to relocate the sewerage dump station, propane filling tank and dumpsters out of the County Road right-of-way and along a new camp road on the site; to demolish the existing old log cabin and other structures on the site; and to close one of the three existing curb cuts on County Road.

- c. Sketch Plan Review for Subdivision/Planned Unit Development (Village) — PUD-2020-01 — Schooner Head Housing**
Project Location: Tax Map 253, Lot 011 on Schooner Head Road; encompassing a total of ±40.24 acres, according to town tax records. The subject land is all in the Village Residential zoning district.
Applicant: Developers Collaborative
Owner: The Jackson Laboratory
Application: To develop a 44-unit residential subdivision in five buildings (one three-story, four two-story) on Schooner Head Road.
Per §125-72 E of the Bar Harbor Land Use Ordinance, the Planning Board shall entertain brief public comment on the proposal for the limited purpose of informing the applicant of the nature of any public concerns about the project so that such concerns may be considered by the applicant in preparing his/her application.
- i. Schedule site visit (mandatory) and neighborhood meeting (optional)
- d. Completeness Review for Site Plan SP-2020-01 – Bar Harbor Savings & Loan**
Project Location: 15 Everard Court (Tax Map 104, Lot 389, encompassing ±0.1 acre of land in the Downtown Village I zoning district)
Applicant/Owner: Bar Harbor Savings & Loan
Application: Modification of an approved site plan (SP-2018-06) for parking lot design. The proposal is to increase the number of parking spaces from eight to 12. The revised design will require double-stacked (tandem) parking, designated for employees only.
- e. Completeness Review under Site Plan Review for Subdivision SD-2019-02 — Harborcove (formerly Harbor View)**
Project Location: 25 Crooked Road (Tax Map 216, Lot 006; encompassing 4.5 acres of land in the Hulls Cove Business District).
Applicant/Owner: ABC, LLC
Application: The renovations of three single-family dwelling units, the conversion of an existing single-family dwelling unit into a two-family dwelling unit, and the construction of one new two-family dwelling unit and of six new single-family dwelling units for a total of 13 dwelling units.
- f. Public Hearing and Recommendation of the Planning Board, to be posted on the warrant for the Town Meeting of the Town of Bar Harbor on June 9, 2020, to adopt or reject a Land Use Ordinance Amendment, dated December 16, 2019 and entitled “Addressing Officer”**
- g. Public Hearing and Recommendation of the Planning Board, to be posted on the warrant for the Town Meeting of the Town of Bar Harbor on June 9, 2020, to adopt or reject a Land Use Ordinance Amendment, dated December 16, 2019 and entitled “Permitting Authority For Certain Residential Uses...”**

- h. Public Hearing and Recommendations of the Planning Board, to be posted on the warrant for the Town Meeting of the Town of Bar Harbor on June 9, 2020, to adopt or reject a Land Use Ordinance Amendment, dated December 16, 2019 and entitled “Employee Living Quarters”**
- i. Public Hearing and Recommendations of the Planning Board, to be posted on the warrant for the Town Meeting of the Town of Bar Harbor on June 9, 2020, to adopt or reject a Land Use Ordinance Amendment, dated December 16, 2019 and entitled “Shared Accommodations”**
- j. Public Hearing and Recommendations of the Planning Board, to be posted on the warrant for the Town Meeting of the Town of Bar Harbor on June 9, 2020, to adopt or reject a Land Use Ordinance Amendment, dated December 16, 2019 and entitled “Official District Boundary Map Amendment and New Uses in Hulls Cove ”**

VII. OTHER BUSINESS

- a. Vacation rentals update from Planning Director**
- b. Discussion of possible Design Review Board LUO amendment(s) for fall 2020**

VIII. BOARD MEMBER COMMENTS AND SUGGESTIONS FOR THE NEXT AGENDA

IX. REVIEW OF PENDING PLANNING BOARD PROJECTS

X. ADJOURNMENT



Town of Bar Harbor Planning Department Staff Report

Completeness Review for Site Plan SP-2020-02 - Bar Harbor Oceanside KOA

Project Location: 135 County Road — Tax Map 211, Lot 001, and encompassing ± 2.63 acres of land in the following zoning districts: Town Hill Corridor, Town Hill Residential and Shoreland Limited Residential

Applicant: Bar Harbor Oceanside KOA

Owner: Kampgrounds of America, Inc.

Application: To construct a manager's house and laundry/maintenance facility; to relocate the sewerage dump station, propane filling tank and dumpsters out of the County Road right-of-way and along a new camp road on the site; to demolish the existing old log cabin and other structures on the site; and to close one of the three existing curb cuts on County Road.

Planning Board Meeting Date:

March 4, 2020: Completeness

Land Use Districts: Town Hill Corridor, Town Hill Residential and Shoreland Limited Residential

Permitted Use: Campground

Applicable Laws for Completeness Review:

Bar Harbor Land Use Ordinance §125-66 Submission Requirements

Review Process:

1. Applicant presents application
2. Questions and comments from the board
3. Public comment period (optional)
4. Waiver requests
5. Review of Submission Requirements 125-66/checklist

Staff Comments:

1. Letters from Fire Department and Public Works Department will be submitted at compliance review meeting.
2. Fire Chief will require that a fire access be maintained - 18 feet wide and 13.6 feet vertical.
3. Public Works will require that an inspection of the culvert to determine its condition.
4. CEO will require proof that the Stormwater Permit-by-Rule be submitted and cleared prior to issuing permits.

Proposed Motions:

1. **Move to grant the waivers requested by the applicant as listed in the checklist, as such waivers will not unduly restrict the review process, as they are inapplicable, unnecessary or inappropriate for a complete review.**
2. **Move to find, per the Bar Harbor Land Use Ordinance 125-66, the application complete with the exception of capacity letters from the Fire Department and Public Works Department that shall be submitted at the compliance review meeting and to schedule a public hearing on April 1, 2020.**



Town of Bar Harbor Planning Department Staff Report

Completeness Review for Site Plan SP-2020-01 Bar Harbor Savings & Loan

Project Location: 15 Everard Court (Tax Map 104, Lot 389, encompassing ± 0.1 acre of land in the Downtown Village I zoning district)

Applicant/Owner: Bar Harbor Savings & Loan

Application: Modification of an approved site plan (SP-2018-06) for parking lot design. The proposal is to increase the number of parking spaces from eight to 12. The revised design will require double-stacked (tandem) parking, designated for employees only.

Meeting Date:

March 4, 2020: Completeness Review

Land Use District: Downtown Village I

Permitted Use: Parking

Applicable Laws for Completeness Review:

Bar Harbor Land Use Ordinance §125-66 Submission Requirements

Review Process:

1. Applicant presents application
2. Questions and comments from the board
3. Public comment period (optional)
4. Waiver requests
5. Review of Submission Requirements 125-66/checklist

Staff Comments:

1. Request for prescriptive easement - The applicant has not been able to demonstrate that it has right, title or interest to the right-of-way north of the lot. Per the 2018 approval, the applicant having right to the ROW east of the lot is not an issue. The applicant is asking the town for a prescriptive easement. Only a judge can grant such an easement. I think what the applicant is really asking is to get an easement in writing from the town. This should not be an issue; however, this is a matter to be resolved with the manager. Securing an easement over the north ROW was a condition of approval in October 24, 2018 and shall remain.

2. Letters from the Fire and Public Works departments will be submitted at the compliance meeting.

Proposed Motions:

1. **Move to grant the waivers requested by the applicant as listed in the checklist, as such waivers will not unduly restrict the review process, as they are inapplicable, unnecessary or inappropriate for a complete review.**
2. **Move to find, per the Bar Harbor Land Use Ordinance 125-66, the application complete with the exception of capacity letters from the Fire Department and Public Works Department that shall be submitted at the compliance review meeting and to schedule a public hearing on April 1, 2020.**



Town of Bar Harbor Planning Department Staff Report

Sketch Plan Review for Subdivision/Planned Unit Development (Village) — PUD-2020-01 — Schooner Head Housing

Project Location: Tax Map 253, Lot 011 on Schooner Head Road; encompassing a total of ±40.24 acres, according to town tax records. The subject land is all in the Village Residential zoning district.

Applicant: Developers Collaborative

Owner: The Jackson Laboratory

Application: To develop a 44-unit residential subdivision in five buildings (one three-story, four two-story) on Schooner Head Road.

Per §125-72 E of the Bar Harbor Land Use Ordinance, the Planning Board shall entertain brief public comment on the proposal for the limited purpose of informing the applicant of the nature of any public concerns about the project so that such concerns may be considered by the applicant in preparing his/her application.

Meeting Date:

March 4, 2020: Sketch Plan

Land Use District: Village Residential

Permitted Use: MFII

Applicable section of the LUO for Sketch Plan Review:

- Bar Harbor Land Use Ordinance Section 125-72 lists all submission requirements the applicant is required to provide as part of the pre-application sketch plan for a subdivision and Section 125-61 includes the review procedure for a pre-application meeting for a major site plan/subdivision.

Staff Comment: None

Public Comment: The Board is to accept any brief public comment concerning the application.

Proposed Action:

Schedule site visit (mandatory) and neighborhood meeting (optional)

Planning Board site visit notes — 25 Crooked Road — September 25, 2019

Present: Planning Board members Tom St. Germain, Joe Cough, Basil Eleftheriou and Erica Brooks, Planning Director Michele Gagnon, Code Enforcement Officer Angela Chamberlain and Assistant Planner Steve Fuller, Mike Rogers and Chris White. Site visit starts at 3:04 PM.

- Need a better survey done than the one presented to the board so far
- The two existing driveways will become roads as they will be serving more than two residences. They will each be widened to 20'.
 - Off of the easternmost road, there will be a driveway (15' wide) as it is only serving two residences (behind the existing log cabin-style house).
- Site visit begins with Mike Rogers leading a walk around the property, starting on the westernmost driveway (to become a road).
- Tom St. Germain noted the applicant had asked for a modification of standard from the requirement that all power lines in a new subdivision be buried below ground.
 - Rogers pointed out where each of the proposed buildings will be located (marked with orange flagging), and noted that on the westernmost accessway, the two existing buildings are furthest back and they are already served by overhead lines.
 - The new buildings will be built between the road and those existing buildings.
 - The plan, then, is to feed off of the existing line.
- In response to a question, Rogers said apple trees in the middle of the property will remain
- The existing chalet-style buildings at the north end of the westernmost driveway (road) will have new roofs put in place.
 - He noted the ground drops off quickly behind the chalets, and that there is not activity proposed back there. The wetlands setback also affects this.
 - Rogers also noted there is a "lot of junk in there" that is being removed.
- On the easternmost driveway (road), Rogers noted the crossing needs to be improved and the culvert opened up for proper drainage.
- Returning to the subject of power lines, Rogers said the first house (southernmost) is so close to the road and power lines there was no sense to go underground.
- There was a question about whether people will be buying built homes or the building envelope. Discussion ensued on this. Rogers said in the end, people will own the building but not the underlying property.
 - Rogers was asked if he would delineate building envelopes on a plan, he said he would
- Site visit concluded at 3:29 PM. Neighborhood meeting at 4 PM that followed at Municipal Building saw no one attend, and so the meeting was adjourned when it was clear no one would be attending.



Town of Bar Harbor Planning Department Staff Report

Completeness Review under Site Plan Review for Subdivision SD-2019-02 Harborcove (formerly Harbor View)

Project Location: 25 Crooked Road (Tax Map 216, Lot 006; encompassing 4.5 acres of land in the Hulls Cove Business District).

Applicant/Owner: ABC, LLC

Application: The renovations of three single-family dwelling units, the conversion of an existing single-family dwelling unit into a two-family dwelling unit, and the construction of one new two-family dwelling unit and of six new single-family dwelling units for a total of 13 dwelling units.

Meeting Dates:

September 4, 2019: Sketch Plan Review
September 25, 2019: Site Visit and Neighborhood Meeting
March 4, 2020: Completeness Review

Land Use District: Hulls Cove Business District

Permitted Use: Single family, two-family, MF I and MF II

Applicable Laws:

Bar Harbor Land Use Ordinance §125-66 Submission Requirements

Review Process:

1. Applicant presents application
2. Questions and comments from the board
3. Public comment period (optional)
4. Waiver requests
5. Review of Submission Requirements 125-66/checklist

Staff Comments:

1. The proposed lighting is exempt as it is less than 1800 lumens.
2. Letters from the Fire, Public Works, Water and Sewer departments will be submitted at the compliance meeting.
3. In a letter dated February 25, 2020, addressed to Michele Gagnon and Angela Chamberlain, Mike Rogers responded to a comment from the TRT report that noted that sewer connections were not shown on the plan as follows: "We made repeated attempts to discuss this with the sewer and water departments. They have never reviewed the drawings, despite receiving them from multiple sources, on multiple occasions. All of the necessary information is on the plan." Mr. Rogers forgot to mention that he did not attend the February 20, 2020 TRT meeting where all water and sewer department staff were present, in addition to the Public Works Director, and ready to discuss this matter with him. Staff have the necessary plans and will provide capacity letters and comments on the application in due time.
4. For compliance, there needs to be a signature block, preferably at the bottom right hand corner.
5. For compliance, consider granting the request for modification of standard for underground power lines.
6. For compliance, consider specifying that the applicant is to pave 30-foot aprons at both roads.

Proposed Motions:

1. **Move to grant the waivers requested by the applicant as listed in the checklist, as such waivers will not unduly restrict the review process, as they are inapplicable, unnecessary or inappropriate for a complete review.**
2. **Move to find, per the Bar Harbor Land Use Ordinance 125-66, the application complete with the exception of capacity letters from the Fire, Public Works, water and sewer departments that shall be submitted at the compliance review meeting and to schedule a public hearing on April 1, 2020.**